

## Terms of Reference for the Local Healthwatch Advisory Group for Surrey

<b>Title</b>	<b>Version</b>	<b>Date</b>	<b>Changes</b>	<b>Authorised</b>
Terms of Reference for the Local Healthwatch Surrey Advisory Group	1	25/11/2022		14/12/23
Terms of Reference for the Local Healthwatch Advisory Group for Surrey	2	19/07/23	Changes to reflect CIC name change from Healthwatch CIC to Luminus CIC. Amended function 3 to reflect changes to escalations process	

### Glossary

<b>“CIC Board”</b>	<i>the Board of Directors of Luminus Insight CIC</i>
<b>“Decision-Making Table”</b>	<i>the decision-making table attached at Appendix A in respect of various areas/ issues relating to the HWSy Services and the LHW Commitment</i>
<b>“HWSy Contract Manager”</b>	<i>the staff member of Luminus Insight CIC appointed to contract manage the HWSy Services, being part of the HWSy Team</i>
<b>“HWSy Services”</b>	<i>the LHW services commissioned by SCC and performed by the HWSy Team</i>
<b>“HWSy Team”</b>	<i>the team of staff of Luminus Insight CIC and local volunteers involved in the carrying out of the HWSy Services (and, in the case of the staff team, not exclusively)</i>
<b>“LHW”</b>	<i>Local Healthwatch</i>
<b>“LHWAG”</b>	<i>the Local Healthwatch Advisory Group established by Luminus Insight CIC in connection with it undertaking the HWSy Services</i>

**"LHW  
Commitment"**

*the statutory obligations of each LHW, the contractual requirements and remit of the HWSy Services and in cooperation with Healthwatch England*

**"SCC"**

*Surrey County Council*

## Purpose of the Local Healthwatch Advisory Group

### Summary

The LHWAG shall advise the HWSy Team and, where required, the CIC Board on:

- how to ensure HWSy Services reflect the voices of people living in Surrey and have maximum influence;
- the operational direction and planning of the HWSy Services; and
- which current and future health and social care themes and issues should be prioritised by the HWSy Services,

each in accordance with the LHW Commitment. The LHWAG will make recommendations to the CIC Board on these matters.

### Further detail

The LHWAG's main functions will be:

#### 1. Prioritising issues

This will be the main task of the LHWAG and will involve working with the HWSy Team to determine which health and social care themes or issues they should be working on, based on insight that the HWSy Team holds, an understanding of the LHW Commitment and the priorities of system partners. This will include making recommendations to the CIC Board on each annual work plan in respect of the HWSy Services.

#### 2. Influencing

Members of the LHWAG will support the HWSy Team in attending meetings held by system partners in order to ensure that the voice of patients and service users in Surrey is heard, and to be a critical friend to NHS and SCC health and social care engagement and involvement plans. LHWAG representatives at such meetings will need to work closely with the HWSy Team to ensure their awareness of current developments in health and social care and the HWSy Team's evidence gathering so that they know what the collective patient and user voice thinks about a particular issue.

### **3. Advising the HWSy Team to ensure the statutory powers of the HWSy Services are used to best effect, within the available resources, including in respect of:**

- use of Enter and View powers;
- referrals to SCC Adults and Health Select Committee;
- Concerning case (“**CONCs**”) and Escalations – by overseeing the Escalations Tracker and advising the HWSy Team to achieve the desired outcomes related to individual escalations;
- making reports and recommendations arising from project work; and
- being a critical friend to system engagement plans,

and making recommendations to the CIC Board on such matters, as appropriate.

### **4. Advising and Supporting the HWSy Team**

The LHWAG will provide advice and support to the HWSy Team on matters such as the quarterly reporting of the HWSy Services, project reports and the annual report required by Healthwatch England. The LHWAG will make recommendations to the CIC Board in relation to such reports.

These Terms of References should be read in conjunction with the Decision-Making Table. The Decision-Making Table sets out where such decisions are discussed, advised on, recommendations made and decisions made as between the HWSy Team, the LHWAG, the management team of Luminus Insight CIC and the CIC Board.

## **Accountability to, and inter-relation with, the CIC Board**

The LHWAG will be accountable to the CIC Board, and ultimately to the general public who use health and social care services in Surrey.

Luminus Insight CIC retains overall responsibility for the provision of the HWSy Services. The CIC Board is responsible for all decisions pertaining to budgets, human resources and policies, commercial decisions and overall strategic direction. The CIC Board has sub-committees in respect of finance and personnel matters (the FPC) and CIC business development matters (the CDG).

While the LHWAG will not be involved in the financial or staff management of the CIC or in respect of the HWSy Services, it will play an essential role in making recommendations to the CIC Board from time to time (such as the annual work plan or in respect of particular priorities) that will form part of the CIC Board’s consideration in setting/ reforecasting budgets and the utilisation of the CIC’s human resources. Furthermore, the LHWAG is likely to have a view, and given some flexibility in conjunction with the

HWSy Team, on how certain identified discretionary budget lines are spent in relation to the HWSy Services (e.g. individual projects, engagement and comms materials, the use of any “Community Cash Fund”). Lines of communication between the LHWAG and the CIC Board and its sub-committees (and making recommendations to them) are through the HWSy Contract Manager and the CEO of Luminus Insight CIC.

Where the LHW Commitments require certain decisions to be made in public, the CIC Board will meet on a quarterly basis with one section of the meeting being in public to discuss/ make a decision in respect of the HWSy Services, the matters set out in the Decision-Making Table and any other matters referred to it or recommended by the LHWAG. This will include the annual workplan, quarterly activity report and the annual report required by Healthwatch England. As the LHWAG evolves, it may be appropriate for the LHWAG to meet in public – this will be considered as part of the annual review of these Terms of Reference.

## Membership of the LHWAG

The core membership of the LHWAG will consist of 6 to 8 Members appointed by the CIC Board. The HWSy Contract Manager will attend all meetings of the LHWAG. Other members of HWSy Team, the CIC management team or the CIC Board may be in attendance as appropriate.

The addition of any new Members to the LHWAG may be proposed by:

- the LHWAG for consideration by the CIC Board; or
- the CIC Board,

taking into account any proposed Member’s ability to represent the interests of stakeholders in Surrey or their specialist knowledge and commitment to the local Healthwatch mission. For the avoidance of doubt, with consensus, the LHWAG will have the ability to invite participants in LHWAG meetings when additional expertise/ knowledge is required. Individual Members of the LHWAG may have additional specific responsibilities as agreed with the HWSy Contract Manager.

On the creation of the LHWAG, it is anticipated that a number of current CIC Board Directors will want to be (and Luminus Insight CIC will need them to be) members of the LHWAG due to their longstanding commitment to the LHW mission in Surrey. Over time, Luminus Insight CIC aim’s is for the LHWAG to involve a diverse group of local people to supplement the contribution of our CIC Board Directors. This will involve the recruitment

of additional volunteer Members of the LHWAG who, together with the initial Members who are not CIC Board Members, will make up a majority of the LHWAG.

Members of the LHWAG will be expected to adhere to:

- the Code of Conduct (including Conflicts of Interest) applying to the HWSy Team and the CIC Board;
- [The Seven Principles of Public Life - GOV.UK \(www.gov.uk\)](http://www.gov.uk); and
- the policies of Luminus Insight CIC applying to staff and volunteers of HWSy from time to time, as identified by the HWSy Team.

## Working Practice of the LHWAG

The LHWAG will meet at least quarterly.

For the purpose of ensuring good meeting practice, each meeting of the LHWAG will be chaired. Initially, meetings of the LHWAG will be chaired by the HWSy Contract Manager or the CEO of Luminus Insight CIC, but in time it is hoped the Members of the LHWAG will, by consensus, appoint its own Chair (who will not be a Director of the CIC Board).

The HWSy Team will support the LHWAG by:

- organising meetings;
- setting the agenda for each meeting (in consultation with the Chair and LHWAG more generally);
- ensuring that agendas and supporting materials are delivered to Members by email at least (other than in exceptional circumstances) 1 week in advance of meetings to allow time for review and consideration; and
- minuting the meetings of the LHWAG (for review at the next meeting of the LHWAG) and action points/ responsibilities.

Items for consideration at the next meeting of the LHWAG should be submitted to the HWSy Contract Manager and (where appointed) the Chair at least 2 weeks before the meeting.

The LHWAG will operate by discussion and, where possible, consensus. The process the LHWAG will use to make decisions or propose recommendations to the CIC Board will be to use a majority vote system i.e. a course of action requires support from more than 50% of Members who attend the applicable meeting. The HWSy Contract Manager has the authority to veto any activities that they reasonably consider to be contrary to the LHW Commitments, best practice in respect of those LHW Commitment or the allocated

budget/ available resources in respect of the HWSy Services. Where no majority decision of the LHWAG can be made in relation to a recommendation to the CIC Board, the HWSy Contract Manager will report to the CIC Board on the discussions of the LHWAG and the circumstances resulting in no majority decision being made. In the event that the CIC Board disagrees with any recommendation by the LHWAG, the Board will give its reasons at a Board Meeting in public and provide feedback to the LHWAG through the HWSy Contract Manager.

## Modifications to these Terms of Reference

Modifications to these Terms of Reference may be proposed at any meeting of the LHWAG for consideration by the CIC Board.

These Terms of Reference will be reviewed annually, on or about the anniversary of establishment of the initial LHWAG.

# Appendix A

## Decision-Making Table

### *Scheme of delegation for Healthwatch Surrey's Local Healthwatch decision-making*

[update in line with updated CIC & Surrey LHWAG DMT once agreed]

Item	Responsibility
<b>Finance and personnel issues</b>	Operational and in-budget decisions made by CEO. Other finance and HR matters Finance & Personnel Committee ("FPC") recommends to the Board for approval other than on specific issues delegated to the FPC by the Board
<b>Annual work plan</b>	CEO proposes to Board for approval
<b>Priorities</b>	Priorities Advisory Group recommends to the Board for approval
<b>CONCs [Concerning Cases] and clusters - escalating</b>	Operational decisions by staff team; Escalations Panel informed
<b>Escalating concerns to system level</b>	Operational decisions by staff team with advice and input from Escalations Panel; CEO keeps Board informed
<b>Escalating concerns to Local Authority Select Committee</b>	Escalations Panel advises CEO who makes the decision and keeps Board informed
<b>Recommendations arising from projects</b>	Operational decisions by staff team and reported to the Board
<b>Use of Enter and View powers</b>	Policy approved by Board; operational decisions made by staff team; Escalations Panel advise when Enter and View is required to gather insight.

Decision making policy and procedures	
Version	0.1
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Approved by	Board of Healthwatch CIC
Date approved	26.1.22